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QUESTION OF THE HUMAN RIGHTS OF ALL PERSONS SUBJECTED
TO ANY FORM OF DETENTION OR IMPRISONMENT

Written statement submitted by North-South XXI.
a non-governmental organization in special
consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[19 March 1998]

Violation of Human Rights in Turkey against Kurds

1. For years now, a number of international institutions have documented reports of massive human rights violations in Turkey: the practice of torture in prisons, and the destruction of Kurdish villages. Despite their reporting, nothing has changed in which Turkey, has remained impervious to the necessary reforms to its Constitution.
2. These appalling conditions have forced the political prisoners to undertake hunger strikes, the most serious one going on in Erzurum prisons, which have resulted in the death of two inmates: Serpil Yilmaz and Osman Das at Sakarya and Bartın prisons, respectively. These inmates were tortured just as the 12 inmates who died of hunger strikes in 1996. Because nothing was done to change the prison conditions, the tragedy of inmates starving themselves to death continues.
3. Serpil Yilmaz died of torture related complications. She was not treated on time. The European Convention on Human Rights is very specific on the rights of the prisoners to adequate care. This was not done. On 24 September 1996, 10 Kurdish prisoners of war were assassinated by the Turkish security forces.
4. A number of Turkey based organizations such as democratic Struggle Platform and the Organizations for the Protection of Inmate Rights and People's Labor Party in Sakarya have sounded alarm bells. They have urged immediate interventions to preempt tragic ends. Already, the health conditions of Serefkan Kara, Resul Akkol, and Suleyman Elefke have become critical. Ten other inmates are having eyesight and hearing problems.
5. The sentiment common among the international community not to "alienate" Turkey or not to "lose" it has enabled Ankara to use its "importance" as invaluable. The Turkish State has always used its strategic location to exact a heavy price from its allies. Instead of adopting the values of advanced countries, it wishes these countries adopt the Turkish norms.
6. The Turkish Government is not willing to face up to the criticism levelled against it and is now engaging in measures to find excuses for its record. Turkey is facing major problems. Those who were saying Turkey is unitary and indivisible and beyond reproach have now found themselves facing the scandal that is Susurluk. Many people in Turkey are still kept in darkness about this incident. Susurluk is another name for the ongoing war in Kurdistan. In order to finance the war, the Government stooped to the measures such as cooperating with the gangs and mafia. In Turkey, the mafia is not an aberration but part of the State policy to wage the dirty war against the Kurds.
7. Because of the war in Kurdistan, 3 million Kurds have become refugees. Many have sought refuge in large Turkish cities. This policy of uprooting the Kurds goes back to the 1920s. At that time, the Kurds were forced to settle in restricted areas. Until recently, the Kurds were forced with the choice of assimilation; today, they face genocide. Those with means are making for the shores of Europe. Many who make it have had modest incomes. There are

millions of others - the villagers - who cannot afford the fare to undertake the trip. Considering the crisis in its totality, one sees the need to address the Kurdish question in its entirety.

8. We welcome the 10 December 1997 decision of the Italian Parliament to hold an international conference on the Kurdish issue. We believe it will begin an auspicious process toward the resolution of the conflict. We also believe that other countries will do their share and we stand ready to do our part to expedite the work of such a gathering.

9. Let's have a look at the human rights situation in Turkey. In 1997, which was one of the best years in this regard since 1991, there have been 109 murders by unidentified assailants, 114 extrajudicial executions or deaths by torture in detention, 2,514 killed in clashes, 151 killed and 239 wounded in attacks against civilians, 66 alleged disappearances under detention, 366 alleged torture cases, 27,308 detained, 1273 jailed, 23 villages/hamlets evacuated, 127 bombed places, 153 associations, trade unions, publications closed, 213 raided associations, trade unions, publications, 298 journalists, press workers detained, 278 publications confiscated. Requested imprisonment sentences and fines amount to 893 years 8 months for a total of TL 3.2 billion. Ordered imprisonment sentences amount to 259 years 4 months. There are 105 prisoners of conscience in jails.

10. The Kurdish question in Turkey is often presented as one of a reasonably democratic Government seeking to cope with an intractable problem of "terrorism". We believe that the reality is one of military totalitarian regime aiming to eliminate the identity of a people. The PKK (Kurdish Workers Party) took up arms because it could not see any prospect for realizing its legitimate political objectives by peaceful means. The response of the Turkish State, as in 1915 with the Armenians, was to use conciliatory language for external consumption, while unleashing huge military force against the virtually defenceless civilian population thought to be in sympathy with the "separatists". To characterize the revolt of a subdued people against their oppressors as "terrorism" is a woeful misunderstanding which could only arise from ignorance of facts and/or history.

11. We believe that the process of democratization and improvement of human rights in Turkey would not be complete or lasting without the just solution of the Kurdish question.

12. We therefore call on the United Nations to:

- consider how the unrepresented status of the Kurds can be remedied;
- seek implementation of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, in order to achieve a balance between the legitimate sovereign requirements of the States in the region, and the rights of the Kurdish people to free cultural expression and a genuine measure of control over their own affairs;

encourage a political solution for the Kurdish question. Thus the United Nations should consider how the hope expressed in Security Council resolution No. 688 of 5 April 1991, "that an open dialogue will take place to ensure that the human and political rights of all Iraqi citizens are respected" be realized in Turkey.

13. We call on the United Nations Commission on Human Rights to use all possible mechanisms to monitor the situation in Turkey and in particular to propose that a United Nations Special Rapporteur be appointed to undertake an investigation of documented human rights violations in Kurdistan.

14. Intergovernmental and non-governmental organizations should assist North-West Kurdistan with regard to its acute underdevelopment, large scale human displacement and widespread human rights violations, particularly by providing support to local human rights organizations.